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# Capital Circus

By TED LEWIS

Washington, Oct. 10.—For humanitarian as well as political reasons most members of Congress are most hesitant at this time to criticize the delicate negotiations for the ransom release of 1,113 Bay of Pigs prisoners of Fidel Castro.

This near-silence in Congress is understandable. Senators and Representatives know that a public statement questioning the secret operation could have an explosive kickback. It might even upset the present cliff-hanging status of the release effort.

But once the deal with Castro succeeds or fails, as sure as shooting the issue will be in the thick of partisan politics as the midterm elections reach a climax.

Already in Congressional cloakrooms there is increasing talk of a probe when the new Congress convenes, aimed at getting a public accounting of what federal funds were spent or made available to meet the ransom demand.

Yet to be denied is the report that the CIA's big cache of secretly appropriated money (an estimated \$700 million annually) is open to supply the ransom funds. Whether the amount is \$15 million or much more is not the issue. It is whether Presidential powers can be used to supply ransom money at will anywhere in the world.

Also involved in the present instance is a matter of purely domestic partisan politics that needs to be clarified.

It was no secret that when James B. Donovan, the go-between with Castro, was named as the Democratic nominee for the U.S. Senate in New York to run against Sen. Jacob Javits (R), there were mystery tips about why he would be an attractive candidate. These were along the line that his part in a ransom deal would redound to the party's benefit at a significant point in the campaign.

### Attorney General Tapped Donovan for the Job

While this may be denied, Donovan is actually the agent of the White House in the Cuban negotiations. He was tapped for the undercover job by Attorney General Robert F. Kennedy last June. Whether or not a fat fee was involved will be one of the questions a Congressional committee is almost certain to pose early next year.

Just what part the CIA has been playing in these negotiations, where Donovan is the front man, is equally as intriguing as Donovan's role itself.

The CIA always has made much of how it must play in the shadows. Yet in this case it deliberately did exactly the opposite. It leaked the information that Donovan's Senate rival, Javits, was receiving secret and detailed briefings on what was going on behind the scenes.

The fact that one member of Congress was getting what all others were deprived of was simply explained: It was only fair to the incumbent Senator that he be informed as to what his opponent was doing in and out of Cuba and why.

This at least helped clarify a circumstance which had baffled the Javits organization. Donovan was a frustrating and phantom rival. He turned down chances to speak in New York, evaded Javits' effort to pin him down to a series of TV debates. This evasion was interesting, particularly as Democratic gubernatorial candidate Robert Morgenthau was challenging Gov. Rockefeller all over the place.



STORY  
James B. Donovan  
He's White House's boy

CPYRGHT

CPYRGHT

### Javits Headquarters Gets the Pitch, at Long Last

Donovan, it slowly percolated through to Javits' headquarters, was banking wholly on a dramatic buildup in which he would get the political laurels as a successful ransom negotiator. He didn't need to campaign at considerable cost through New York if matters went right in Cuba, so he let Javits stew while he was on the Miami-Havana swing.

Some of Javits' handlers think the Senator made a mistake in agreeing to look over the secret CIA information. When he accepted, he was honor-bound to keep mum about the prisoner issue.

Once the dust has settled from the present negotiations, the basis for the CIA being actively engaged in a prisoner ransom effort is going to be publicly discussed by many disturbed members of Congress. As set up under the law, the CIA is clearly restricted to the intelligence field.

Its function is spelled out in the authoritative U.S. government manual: "For the purpose of coordinating the intelligence activities of the several government departments and agencies in the interest of national security."

### CIA Apparently Without Authority of Law

Under this broad intelligence-gathering authority, it also "performs, for the benefit of existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally."

This paragraph has a certain catch-all character. But even by stretching the meaning to the nth degree, no lawyer in Congress would dare to construe it as giving the CIA the legal right to act, or connive, in any kind of prisoner ransom deal.

Of course, since the Bay of Pigs fiasco in April, 1961, the Kennedy Administration, through various spokesmen, has agreed that it has a moral obligation to the Cuban exiles taken prisoner there. The invasion go-ahead, limited as it was, was given by the President himself.

But in the aftermath of the anti-Castro calamity, the President was careful to keep the Federal Government out of the first abortive ransom moves. He helped organize the private ransom committee, headed then by Eleanor Roosevelt, Walter Reuther and Milton Eisenhower. And he urged citizens to contribute to it. But at that time the idea of the CIA or any other branch of government deliberately and officially putting ransom money on the line was obnoxious.

Now the CIA is apparently doing the wheeling and dealing.